

**NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**

Case
19-CA-278769

Date Filed
6/21/2021

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer Peter Pan Seafood Co., LLC		b. Tel. No. 207-728-6000	
		c. Cell No.	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code) 3015 112th Avenue NE, Suite 100 Bellevue, WA 98004-8001		e. Employer Representative James M. Shore Stoel Reeves, LLP 600 University Street, Suite 3600 Seattle, WA 98101-4109 206-386-7578 jim.shore@stoel.com	
		g. e-mail jim.shore@stoel.com	
		h. Number of workers employed 71	
i. Type of Establishment (factory, mine, wholesaler, etc.) Fisheries		j. Identify principal product or service Fish	
<p>The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p>			
<p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See attached statement</p>			
<p>3. Full name of party filing charge (if labor organization, give full name, including local name and number) IAM District Lodge No. 160</p>			
4a. Address (Street and number, city, state, and ZIP code) 701 W. 41st Ave., Suite 102 Anchorage, AK 99503		4b. Tel. No. 907-338-7180	
		4c. Cell No. 253-229-0029	
		4d. Fax No.	
		4e. e-mail bonnie@iam160.com	
<p>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Association of Machinists</p>			
<p align="center">6. DECLARATION</p> <p>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.</p> <p> _____ (signature of representative or person making charge)</p>		<p>Tel. No. 206-467-6700</p> <p>Office, if any, Cell No.</p> <p>Fax No. 206-467-7589</p> <p>e-mail kdetwiler@unionattorneysnw.com</p>	
<p align="center">Kristina Detwiler, ROBBLEE DETWILER _____ (Print/type name and title or office, if any)</p> <p>2101 Fourth Avenue, Suite 1000, Seattle, WA 98121 Address _____</p>		<p>Date 6/17/2021</p>	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

The Union has historically represented the Foremen, First Machinists, Shop Machinists, Port Engineers, Electricians, Refrigeration Machinists, Iron C Butchering Machinists, Filler Machinists, Seamer Machinists, Spec. I Fresh/Frozen, Cannery Machinists, Welders, Salmon Cook Machinists, Clincher Machinists, Palletizer Machinists, Meal Plant Machinists, Spec. II Fresh/Frozen, Can Shop Machinists, Refrigeration Specialist III, Surimi Machinists, Spec. III Fresh/Frozen, Salmon Cooks, Van Yard Operators, Meal Plant Mechanics, Fresh/Frozen and Cannery Machinist Helpers, Port Engineer Helpers, Surimi/Meal Plant Helpers, Helper Trainees, Watchman, and any position that completes any work listed on "Attachment A" employed by Peter Pan Seafood, Inc. ("Predecessor") at its Port Moller, King Cover, Dillingham, and Valdez facilities in Alaska.

This bargaining unit includes "all employees engaged in or about its Alaska facilities performing work in the installation, erection and construction, dismantling, repair or maintenance of all machinery, mechanical and electrical equipment, except radio equipment, including but not limited to fillers, weighing machines, clinchers, seamers, reformers, flangers, iron c butchering machine, indexers, scrubbing machines, fish elevators and fish conveyors, all refrigeration equipment, labeling and/or casing lines and all the mechanical equipment on boats, lighters, vessels, power scows, pile-drivers, pile-pullers, mooring scows, gear scows and all other floating equipment in or about the facility; the operation of machine tools and welding and/or burning equipment in the shop; the operation of all equipment in the fire-room; the operation of all pumps; and the servicing of all jitneys or other transportation equipment and bright stacking equipment."

On or about January 1, 2021, the Predecessor was sold to Peter Pan Seafood Company, LLC ("Successor"). The Union sent a demand for recognition to the Successor. The Successor denied the demand on the basis that it had not yet hired a substantial complement of its workforce. Thereafter, in May 2021, the Union sent a second demand for recognition to the Successor. The Successor denied this demand on the basis that its relevant workforce is not comprised of a majority of the Predecessor's former employees.

On information and belief, the Union believes that the former bargaining unit employees of the Predecessor represent a majority of the Successor's workforce. The Union has requested documentation and information from the Successor in order to verify the Successor's claims that there is no majority status. The Successor has refused to provide any documentation from which the Union can ascertain the accuracy of the Successor's claims.